

TODD KIM
Assistant Attorney General

LUCY E. BROWN (HI Bar #10946)
DAVID D. MITCHELL (IL Bar #6302250)
United States Department of Justice
Environment & Natural Resources Division
Environmental Defense Section
P.O. Box 7611
Washington, DC 20044
Telephone: (202) 514-0165 (Mitchell)
Fax: (202) 514-8865
lucy.e.brown@usdoj.gov
david.mitchell@usdoj.gov

Counsel for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GREENACTION FOR HEALTH AND
ENVIRONMENTAL JUSTICE,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF THE
NAVY et al.,

Defendants.

Case No. 3:24-cv-3899-VC

**FEDERAL DEFENDANTS' NOTICE
OF MOTION AND MOTION TO
DISMISS PLAINTIFF'S FIRST
AMENDED COMPLAINT**

Date: January 23, 2025

Time: 10:00 a.m.

Location: Courtroom 4 – 17th Floor

Judge: Hon. Vince Chhabria

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, on January 23, 2025, at 10:00 a.m., or as soon thereafter as the matter may be heard before the Honorable Vince Chhabria, Courtroom 4 – 17th Floor, United States District Court for the Northern District of California, San Francisco Courthouse, located at 450 Golden Gate Avenue, San Francisco, California 94102, Defendants Department of the Navy and United States Environmental Protection Agency will and hereby do move this Court for an order dismissing all claims alleged by Plaintiff Greenaction for Health and Environmental Justice.

Federal Defendants’ Motion to Dismiss is based upon this Notice, the accompanying Memorandum of Points and Authorities, the Declaration of Danielle Janda, the Declaration of David Mitchell, the Federal Defendants’ Request for Judicial Notice (ECF No. 20), the pleadings and other papers on file in this action, and such other evidence as may be presented at or prior to the hearing on this matter.

DATED: November 1, 2024

Respectfully submitted,

TODD KIM
Assistant Attorney General
Environment & Natural Resources Division
United States Department of Justice

/s/ David Mitchell

LUCY E. BROWN
DAVID D. MITCHELL
Environmental Defense Section

Counsel for Defendants